

HOUSE BILL 1695
By Tidwell

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 3, relative to required equipment on motorcycles and motor driven cycles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-302, is amended by adding a new section thereto, as follows:

(c)

(1) This section shall not apply to any person twenty-five (25) years of age or older who while driving a motorcycle also possesses:

(A) Proof of comprehensive health insurance coverage covering such person, provided that such person is not currently receiving medical assistance pursuant to title 71, part 5. For the purposes of this subdivision, proof of comprehensive health insurance coverage includes the declaration page of an insurance policy, an insurance binder or an insurance card; and

(B) Proof of completion of a motorcycle rider education program approved by the motorcycle safety foundation (MSF) or otherwise approved by the department, if such person is the driver.

(2) Such proof shall be furnished upon request to any law enforcement officer in the course of such officer's official duties.

(3) A violation of this subsection is a Class C misdemeanor punishable by a fine only of fifty dollars (\$50.00).

(4) Ten dollars (\$10.00) of each such fifty dollar (\$50.00) fine collected shall be deposited into the traumatic brain injury fund authorized by title 68, chapter 55, part 4.

(5) The provisions of this subsection shall also apply to any passenger riding upon a motorcycle.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.